

APR 30 2009

Docket No.: 65138(53253)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Patrick Holt et al.

Application No.: 10/574,393

Confirmation No.: 9686

Filed: January 12, 2007

Art Unit: 1644

For: IMMUNOTHERAPY METHOD

Examiner: Amy E Juedes

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

In further response to the restriction requirement set forth in the Office Action mailed January 22, 2009, Applicants request to revise their species election made in their response filed April 22, 2009 in the above-identified Application.

Applicants hereby provisionally elect Group I, claims 1-3, 11-17, 19, 21-26, and 31-33, for continued examination, with traverse. Applicants submit that no undue burden is placed on the office in searching the methods beyond that incurred by searching the kit or agent relating thereto. To fully comply with the restriction requirement, Applicants also elect the species TH2 associated disease and TH1 adjuvant.

With the previously filed preliminary amendment to claims 4-10, 18, 20, and 27-29, and addition of new claim 51 (dependent from claim 13) Applicants submit that as they depend from claim 1 and 13, amended claims 4-10, 18, 20, and 27-29 and new claim 51 should also be examined as part of the provisional election of Group I. Thus, the provisional election of Group I includes claims 1-29, 31-33 and 51.

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The Director is hereby authorized to charge any credits or deficiency in the fees filed (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 65138(53253).

Dated: April 30, 2009

Respectfully submitted,

By

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